

E-filed 09/19/07

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOHN DOE,

Plaintiff,

v.

THE DEPARTMENT OF CORRECTION, et al.,

Defendants.

Case Number C-07-04756 JF

ORDER¹ TO SHOW CAUSE

[re: docket no.1]

Plaintiff John Doe seeks to restrain Defendants from enforcing Cal. Penal Code §3003.5(b) and (c), as amended by the Sexual Predator Punishment and Control Act (“SPPCA”), also known as “Jessica’s Law.” These provisions prohibit any person required to register as a sex offender, pursuant to Cal. Penal Code §290, from living within 2,000 feet of a school or park where children regularly gather. Plaintiff is a person subject to these provisions. Having reviewed Plaintiff’s pleadings, the Court concludes that Plaintiff has not made a sufficient factual showing to warrant entry of a temporary restraining order at this juncture. However, because the Court must construe the pleadings of *pro se* litigants liberally, it appears that Plaintiff may be

¹ This disposition is not designated for publication and may not be cited.

1 attempting to allege that the SSPCA is being given impermissible retroactive effect as to him.

2 *See Doe v. Schwarzenegger*, 476 F.Supp.2d 1178, 1180-81 (E.D.Cal. 2007).

3 Accordingly, within fourteen (14) court days, Defendants shall show cause as to why the
4 relief prayed for should not be granted. The matter will then be taken under submission without
5 further briefing or argument unless otherwise ordered.

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7 IT IS SO ORDERED.

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9 DATED: September 19, 2007

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JEREMY FOGEL
United States District Judge